

U. S. Application No. 10/061,746
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REMARKS

The foregoing amendment amends Claims 1, 12 and 20, so that Claims 1-20 are pending in the application, with Claims 1, 12 and 20 being independent.

Objection to Claim 1

The Examiner objected to Claim 1 due to certain informalities. The foregoing amendment to Claim 1 addresses the informalities raised by the Examiner.

Claim 1 is Definite

The Examiner rejected Claim 1 under 35 U.S.C. § 112, second paragraph alleging that the claim was indefinite. The foregoing amendment to Claim 1 amends "said host" to "a host" so that the claim is definite.

Allen Does Not Describe the Creation of New Content

The Examiner rejected Claims 1-19 under 35 U.S.C. §102(b) alleging that the claims are anticipated by U.S. Pat. No. 5,892,535 to Allen et al. ("Allen") and rejected Claim 20 under 35 U.S.C. §103(a) as being unpatentable over Allen in view of U.S. Pub. No. 2004/0205339 to Medin ("Medin"). The Examiner alleged that Allen describes producing new content. The sections of Allen relied upon by the Examiner describe the use of cue tones for ad insertion. Allen describes that national network programmers provide breaks in each national program where local advertisements can be inserted. The timing of the breaks is indicated by the cue tones. Using the cue tones a system can insert a local advertisement during a break in the national program. The system passes through either the national program or a local advertisement by switching between the two inputs, i.e. the output corresponds to one of the two inputs.

In contrast, Claim 1 recites graphics processing circuitry which produces new content by transforming and combining content from two different sources. The content is new. It is not simply a pass through of received content. Instead, components of the two input signals are transformed and combined to form the new content. Allen does not describe the new

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content recited by Claim 1 because Allen does not describe the combination of content from different sources or the transformation of content from different sources.

Claims 12 and 20 recite transforming and combining components of the first content signal and the second content signal into video content and using the video content to form the new content and are patentable for at least the same reasons as Claim 1.

Claims 2-11 depend from Claim 1 and Claims 13-19 depend from Claim 12. the dependent claims are patentable for at least the same reasons as the independent claims.

INTERVIEW SUMMARY

A telephone interview with the Examiner was conducted on April 3, 2007 at 10:00 am ET. The attendees included Examiner Annan Shang, inventor Chris McClellen, Vernon Meadows, a representative of Assignee, and the undersigned. The rejection of Claim 12 was discussed in light of Allen. It was explained and discussed that Allen describes ad insertion and that Claim 12 creates new content. No agreement was reached.

CONCLUSION

The foregoing is submitted as a complete response to the Office Action identified above. This application should now be in condition for allowance, and the Applicants solicit a notice to that effect. If there are any issues that can be addressed via telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

Respectfully submitted,



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